IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 75213-M of 2006

DATE OF DECISION : 29.01.2007

Rani Kaur

.... PETITIONER

Versus

State of U.T. Chandigarh and others

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Mohinder Kumar, Advocate,
for the petitioner.

Mr. Hemant Bassi, Advocate,
Standing Counsel for U.T. Chandigarh.

Mr. Vikas Singh, Advocate,
for the complainant.

Petitioner Rani Kaur, apprehending her arrest in a non-bailable offence in case FIR No. 395 dated 8.10.2006 under Section 381 IPC, registered at Police Station Sector-34, Chandigarh, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 20.11.2006, passed by Additional Sessions Judge, Chandigarh, whereby bail application of the petitioner has been dismissed.

While issuing notice of motion on November 30, 2006, interim anticipatory bail was granted to the petitioner subject to her joining investigation.

Counsel for the petitioner contends that the petitioner has been falsely implicated in this case, which has been lodged on the basis of complaint made by her husband due to matrimonial dispute between them.

Counsel for the petitioner further states that in terms of the interim order dated November 30, 2006, the petitioner has joined the investigation. The State counsel, after having instructions from Sukhdeep Singh SI does not dispute this fact and further states that after investigation, the allegations levelled in the FIR have been found to be false and the police has recommended the cancellation report.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated November 30, 2006, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

January 29, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**